

# Exhibit 3

**PLAN OF PUBLICATION FOR SUMMARY NOTICE**

Pursuant to Paragraph 24(e)(i) of the Settlement Agreement by and between Plaintiff Claire Delacruz and Defendant CytoSport, Inc. (the “Settlement Agreement”), the Summary Notice shall be published as follows on or before the Notice Date as specified in the Preliminary Approval Order (capitalized terms used herein but not defined shall have the same meanings as ascribed to those terms in the Settlement Agreement):

1. Twice in a weekday edition of USA Today (or, if USA Today is not available, another national newspaper of similar distribution);
2. Twice in a weekday edition of the California distribution of the same national newspaper as described in Paragraph 1, above;
3. For four (4) weeks on the internet site [www.people.com](http://www.people.com) and on various internet sites that are part of the Univision online network; and
4. The posting a joint press release issued by Class Counsel and Defendant upon preliminary approval of the settlement contemplated by the Settlement Agreement on PR Newswire’s National U.S.1 and Hispanic newslines.